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12 UNITED STATES DISTRICT COURT
13 DISTRICT OF NEVADA

14 THAD AUBERT,
15 Plaintiff,
16 vs.
17 JAMES DZURENDA, *et al.*,
18 Defendants.

Case No. 2:18-cv-01329-GMN-EJY
**DEFENDANTS' MOTION FOR AN
EXTENSION OF TIME TO FILE A
JOINT INTERIM STATUS REPORT
(SECOND REQUEST)
(ECF NO. 62)**

19 Defendants, Director James Dzurenda (Director Dzurenda), Warden Brian Williams
20 (Warden Williams), Warden Dwight Neven (Warden Neven) and James Cox (Cox), by and
21 through Aaron D. Ford, Attorney General for the State of Nevada, and Charles D Hopper,
22 Deputy Attorney General, request this Court grant a fourteen (14) day extension of time to
23 file a joint interim status report.

24 This Court should grant Defendants' motion for an extension of time to file a Joint
25 Interim Status Report. Although undersigned counsel had arranged a telephonic meeting
26 to discuss estimated trial length and trial availability with Plaintiff, undersigned counsel
27 was unable to participate due to illness. Accordingly, Defendants request a second short
28 extension to file the Joint Interim Status Report.

1 **I. BACKGROUND**

2 On December 19, 2019, this Court entered a discovery plan and scheduling
3 deadlines. (ECF No. 62). The Court ordered the parties to submit an Interim Status Report
4 on or before April 21, 2020. (*Id.*). The Court then granted Defendants' Motion for an
5 Extension of Time to File a Joint Interim Status Report (First Request) on April 30, 2020,
6 wherein the Joint Interim Status Report was due on May 5, 2020. (ECF No. 83). Although
7 undersigned counsel had arranged a telephonic meeting to discuss estimated trial length
8 and trial availability with Plaintiff, undersigned counsel was unable to participate due to
9 illness. See Declaration of Counsel, attached as Exhibit A. Accordingly, the undersigned
10 counsel is in the process of arranging another telephonic conference to discuss these issues
11 as soon as possible. *Id.* However, the conference call cannot be completed before the May
12 5, 2020, deadline.

13 **II. APPLICABLE LAW**

14 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), this Court may extend the
15 time to perform an act within a specific time for good cause shown.

16 **III. LEGAL ARGUMENT**

17 This Court should grant Defendants' motion to extend the deadline to file a Joint
18 Interim Status Report. To date, Plaintiff has not contacted undersigned counsel to prepare
19 a Joint Interim Status Report. Accordingly, undersigned counsel is in the process of
20 arranging a telephonic meeting as soon as possible to discuss the Joint Interim Status
21 Report. Good cause exists to extend the deadline based on the parties' inability to meet
22 concerning this filing. Defendants therefore request this Court grant the parties until May
23 19, 2020 to file a Joint Interim Status Report.

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1 CONCLUSION

2 This Court should grant an extension of deadline to file a Joint Interim Status
3 Report. Counsel is diligently working to complete the Joint Interim Status Report, but has
4 been unable to do so.

5 DATED this 4th day of May, 2020.

6 AARON D. FORD
7 Attorney General

8 By: /s/ Charles D Hopper
9 CHARLES D HOPPER (Bar No. 6346)
10 Deputy Attorney General
11 Attorneys for Defendants
12 James Cox, James Dzurenda,
13 Dwight Neven, and Brian Williams

14 ORDER

15 **Defendants' Motion for an Extension of Time to File**
16 **a Joint Interim Status Report (ECF No. 84) is**
17 **GRANTED. The parties shall have through and**
18 **including May 9, 2020 to file a Joint Interim Status**
19 **Report.**

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21 UNITED STATES MAGISTRATE JUDGE

22 Dated: May 5, 2020